

From: Dyas, Greg
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 11:43am
Subject: Microsoft Settlement

Dear Sirs,

The purpose of this letter is to express my opinion during the comment period mandated under the Tunney Act, which requires the court to consider public opinion before ruling on any settlement.

The settlement proposed is entirely unacceptable and represents a giveaway by the government when it stood in an advantageous position in the case, but I'd like to focus specifically on the fact that Microsoft would be permitted to keep its Windows and Windows API source code private. To allow Microsoft to keep hidden the code behind the instrument it's used to bludgeon Netscape Navigator is akin to letting a murderer get off with a warning, then choosing to give him his gun back because, after all, it is his gun. The code used at the operating system level of a computer determines how any other program is permitted to interact with it. Microsoft has been proven before, not only with Netscape but previously with Caldera's DR-DOS, to have no ethical problems using this OS-level control to "break" other programs. To prevent this from occurring again, Microsoft must somehow be forced to open its code, or failing that, to separate its Windows business from its other software & hardware concerns.

Opening up the code would also allow increased competition with the Windows platform and reduce Microsoft's abused monopoly position. Such projects as the volunteer-driven WINE software project, that seeks to allow Windows programs to run on machines running the Linux operating system, would be able to thrive and would provide a non-Windows arena for Windows programs to run in.

Lastly, there's the simple fact of security. Many sensitive projects, run by individuals, companies, and the government itself, are driven by Windows operating systems. Simply by seeing the code, computer programmers for businesses and the government would be able to close for themselves the numerous holes constantly discovered in the Windows OS.

Let's diminish their ability to use the weapon they've used again & again to inhibit competition. Let's introduce a true level playing field to the Operating System market. Let's look at the code. Any settlement that doesn't allow the people to see what's been used against them is incomplete.

Thank you for your attention to this comment.

Yours,

--Gregory Dyas
1429A Poli St.
Ventura, CA 93001
(805) 641-1109